

FILE NO.: Z-6453-C

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NAME: Diamond Park Community Long-form PD-R

LOCATION: Located in the 8900 Block of Labette Drive

DEVELOPER:

Faithland Commercial Properties No. 5 LLC  
P.O. Box 55300  
Little Rock, AR

ENGINEER:

McGetrick and McGetrick Engineer  
10 Otter Creek Court, Suite A  
Little Rock, AR 72210

AREA: 6.27 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: PD-R Expired and MF-18

ALLOWED USES: Senior Assisted Living Facility - 220 units and  
Multi-family – 18 units per acre

PROPOSED ZONING: PD-R

PROPOSED USE: Single-family and multi-family housing

VARIANCES/WAIVERS REQUESTED: A variance from the City's Land Alteration Ordinance to allow advanced grading for the site.

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BACKGROUND:

Ordinance No. 19,539 adopted by the Little Rock Board of Directors on June 6, 2006, allowed a rezoning of 6.27 acres from MF-18 to PD-R to allow the site to develop as a 220-unit senior citizen adult living facility. The units were proposed as one-bedroom units. The site plan included the place of 220 parking spaces. Each of the units would have an independent kitchen facility. The development would not have on-site food preparation. A nursing station was to be located on the site and a small satellite medical office. Limited transportation would be provided for the residents. This development did not occur and the PD-R zoning has expired.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The request is a rezoning from PD-R Expired and MF-18 for Diamond Park Community formerly known as the Value Health site. The plan encompasses five (5) 3-story apartment buildings with twelve (12) 1 and 2-bedroom units per building and 84 parking spaces. The remaining acreage will be developed with 32 lots of detached single-family. These lots will be approximately 43-feet wide and 135-feet deep with 15-foot front setbacks and 3-foot side yard setbacks. The units will have rear entry access. The overall density of the development, the single-family and multi-family combined is 9.4 units per acre.

The request includes a variance from the City's Land Alteration Ordinance to allow advanced grading for the site.

In addition as a separate item on this agenda the applicant is requesting the removal of Labette Drive as a collector street from the Master Street Plan.

B. EXISTING CONDITIONS:

The site is tree covered, sloping upward to the southwest. There are multi-family units located to the west of the site accessed from Labette Manor Drive. There is a nursing home located to the north of the site adjacent to John Barrow Road. A POD is located on the corner of Labette and John Barrow Road currently housing medical office. South of the site is a branch library facility for the Central Arkansas Library System. Labette Drive dead-ends into the site.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a informational phone call from the John Barrow Neighborhood Association. All property owners located within 200-feet of the site along with the John Barrow Neighborhood Association, Twin Lakes A POA and the Twin Lakes B POA were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. With site development, provide the design of street conforming to the Master Street Plan. Construct street improvement to these streets including 5-foot sidewalks with the planned development. Per the Master Street Plan, sidewalks are required to be installed along the north side of Labette Drive but not required adjacent to Labette Circle.
2. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

3. A grading permit in accordance with Section 29-186 (c) and (d) will be required prior to any land clearing or grading activities at the site. Other than residential subdivisions, site grading and drainage plans must be submitted and approved prior to the start of construction. The request includes a variance to allow advanced grading.
4. Provide a Sketch Grading and Drainage Plan per Section 29-186 (e).
5. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
6. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
7. Street Improvement plans shall include signage and striping. Traffic Engineering must approve completed plans prior to construction.
8. Streetlights are required by Section 31-403 of the Little Rock code. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineering 501-379-1813 (Greg Simmons) for more information.
9. No residential waste collection service will be provided on private streets unless the property owners association provides a waiver of damage claims for operations on private property. In addition, the following comments must be agreed to for collection and recycling service: 1.) service will be provided to one side of the through easements/alleys which will require everyone to place their carts on the side of the easement/alley as selected by the City of Little Rock; 2.) service will not be provided to a dead-end alley. The easement/alley must have a separate entrance and exit; 3.) City of Little Rock is not liable for damage to the easement/alley; 4.) if easement/alley is obstructed on service day City of Little Rock will not return until the following week for pick up; 5.) yard waste will not be picked up in the rear easement/alley. Yard waste is to be placed at the curb on the street in front of house; 6.) a letter from the property owners association must be provided stating all residents unanimously agree to all of the above conditions.
10. Since the street is proposed to be 24 feet in width, show on the plan the area of street where parking will be restricted to one side.
11. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.

12. If the Master Street Plan is modified, a hammerhead should be designed to be at least 80 feet in length and the same width as the street at the end of the western portion of Labette Drive.
13. Curb radius within the access easement must be redesigned for an SU-30 vehicle with a 60 foot turning radius. The existing design cannot pass this vehicle. The access easements must be designed with concrete aprons.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer main extension required with easements for this project. Contact the Little Rock Wastewater Utility for additional information.

Entergy: Entergy has no objection to the proposal. Three phase power is available on the east side of the project along Labette Drive. Customer should contact Entergy in advance so an electrical layout can be provided for the development.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. Central Arkansas Water has an existing 12-inch water main that runs through the northwest corner of the proposed development. Plans should include a relocation of the main when submitted for review. The 12-inch water line relocation will be at the developer's expense. A new easement will be required.
3. A water main extension will be needed to provide water service to this property.
4. Please submit plans for water facilities to Central Arkansas for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities. Approval of plans by Central Arkansas Water, the Arkansas Department of Health Engineering Division and Little Rock Fire Department is required.
5. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

6. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
7. Additional fire hydrant(s) will be required. Contact the Little Rock Fire Department to obtain information regarding the required placement of the hydrant(s) and contact Central Arkansas Water regarding procedures for installation of the hydrant(s).
8. A Capital Investment charge based on the size of meter connection(s) will apply to this project in addition to normal charges.

Fire Department: Place fire hydrant(s) per code. Maintain access, two ways to enter and exit the subdivision. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Bus serves John Barrow so providing walk/car path to Barrow Road from Labette will be advantageous to developer.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the I-430 Planning District. The Land Use Plan shows Residential Low Density (RL) and Mixed Office Commercial (MOC) for this property. Residential Low Density is for single-family homes at densities no greater than six (6) dwelling units per acre. Mixed Office Commercial provides for a mixture of office and commercial uses to occur. Acceptable uses are office or mixed office and commercial. A Planned Zoning District is required if the use is mixed office and commercial. The applicant has applied for a rezoning from MF-12 and PDR-Expired (Planned District Residential) to PDR (Planned District Residential) to allow for the development of a small-lot single-family development with some multifamily units along the northern boundary.

Master Street Plan: Labette Drive is shown as a Collector on the Master Street Plan. The primary function of a Collector Street is to provide a connection from Local Streets to Arterials. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.

2. Interior landscape areas shall comprise a minimum of eight (8) percent of any vehicular use area containing twelve (12) or more parking spaces.
3. A minimum nine (9) foot wide planting strip is required between the vehicular use area and right-of-way.
4. Dumpsters should be relocated from the front of the property to a more appropriate location.
5. An automatic irrigation system to water landscaped areas will be required.
6. Prior to the issuance of a building permit, it will be necessary to provide an approved landscape plan stamped with the seal of a Registered Landscape Architect.
7. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (December 5, 2013)

Mr. Pat McGetrick was present representing the request. Staff presented an overview of the development stating the proposal was a detached single-family development as well as several units of multi-family. Staff stated as a separate item on the agenda the applicant was also requesting the removal of Labette Drive from the Master Street Plan as a collector street. Staff requested Mr. McGetrick provide additional information concerning the access and utility easement and if the property line extended into the easement or if the easement was a separate tract. Staff also questioned if there would be a subdivision identification sign for the proposed single-family portion of the development and if there would be an identification sign for the proposed multi-family development.

Public Works comments were addressed. Staff stated since the residential street was indicated with a width of 24-feet parking would be restricted to one side. Staff requested Mr. McGetrick provide on the proposed plan a note indicating the parking restriction. Staff questioned if the development was requesting a variance from the City's Land Alteration Ordinance to advance grade the site. Staff also stated if the request to remove Labette Drive from the Master Street Plan was approved and the connection was no longer in place for Labette Drive then a hammer head was required along the western portion of Labette Drive to allow for a turn-around.

Landscaping comments were addressed. Staff stated interior islands were to comprise a minimum of eight percent of the vehicular use area containing twelve or more parking spaces. Staff stated the minimum perimeter planting strip was to be nine feet between the vehicular use area and the right of way. Staff stated the dumpsters should be located out of the front setback and moved to a more appropriate location.

Staff noted comments from the other reporting departments and agencies suggesting the applicant contact them individually for additional clarification. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan to staff addressing a number of the issues raised at the December 5, 2013, Subdivision Committee meeting. The applicant has provided additional information concerning the access easement and indicated the access easements will be maintained in a tract separate from the lot. Labette Drive and Labette Circle will be constructed as public streets and dedicated to the City with the final plat.

The development will include a subdivision identification sign for the proposed single-family portion of the development. The sign will be a maximum of 6-feet in height and 32 square feet in area. There will also be a sign placed on the multi-family portion of the development limited to 6-feet in height and 24-square feet in area.

Mr. McGetrick has indicated parking will be restricted to one side of the proposed 24-foot street. He has indicated a note will be placed on the final plat as well as within the Bill of Assurance indicating the restricted side of the street which will not allow parking.

The revised plan indicates the placement of a turnaround for Labette Drive on the west side located within Tract A. The applicant has indicated a gate will be located within this area to allow for emergency access to the site as required by State Fire Code for development which exceeds 30 residential lots.

The site plan encompasses five (5) 3-story apartment buildings with twelve (12) 1 and 2-bedroom units per building for a total of 60 units. The plan also indicates 84 parking spaces to serve the multi-family portion of the development. The ordinance would typically require the placement of 90 parking spaces to serve this number of units. Although the plan is indicated with 6 parking spaces less than typically required to meet the minimum ordinance requirements, the applicant has indicated the units will be a mixture of one and two bedroom units which will likely lessen the number of vehicles on the site.

The dumpsters have been relocated out of the front setback adjacent to the new public right of way and will be accessed from the private access and utility easement. The dumpster will be screened per the typical ordinance standards. Staff recommends the dumpster service hours be limited to daylight hours since the area is primarily residential, within this development and of abutting property.

The remaining area will be developed with 32 lots of detached single-family. These lots will be approximately 43-feet wide and 135-feet deep with 15-foot front setbacks and 3-foot side yard setbacks. The units will have rear entry access. The maximum building height proposed is 35-feet. Each of the homes are proposed with 1,050 square feet of heated and cooled space. The units will also contain covered parking located off the rear access and utility easement.

The request includes a variance from the City's Land Alteration Ordinance to allow advanced grading for the site. The Engineer has indicated the site will balance if allowed to clear and grade the entire site with the initial installation of the streets and public utilities.

In addition as a separate item on this agenda the applicant is requesting the removal of Labette Drive as a collector street from the Master Street Plan. Although staff has concerns with the removal of Labette Drive from the Master Street Plan as a collector street staff is in support of this development and if the street is not removed then the overall layout of this development cannot be achieved. Staff recommends Labette Drive remain on the Master Street Plan until such time as the developer requests a grading permit for the development. At that time staff recommends the Master Street Plan item be forwarded to the Board of Directors for final action.

To staff's knowledge there are no remaining outstanding technical issues associated with the request. The request is a rezoning from MF-12 and an expired PD-R in which the underlying zoning is MF-12 for a project with an overall density of 9.4 units per acre. Staff feels the development as proposed is appropriate.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends the dumpster service hours be limited to daylight hours and the dumpsters be screened to meet the typical ordinance requirements.

Staff recommends approval of the variance request from the City's Land Alteration Ordinance to allow advanced grading of the site.

Staff recommends prior to the issuance of a grading permit the request for removal of Labette Drive from the Master Street Plan be forwarded to the Board of Directors for final action.



PLANNING COMMISSION ACTION:

(JANUARY 9, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request as filed subject to compliance with the conditions outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation the dumpster service hours be limited to daylight hours and the dumpsters be screened to meet the typical ordinance requirements. Staff presented a recommendation of approval of the variance request from the City's Land Alteration Ordinance to allow advanced grading of the site. Staff also presented a recommendation that prior to the issuance of a grading permit the request for removal of Labette Drive from the Master Street Plan be forwarded to the Board of Directors for final action.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 6 ayes, 0 noes, 4 absent and 1 open position.